

# OFFICE OF THE ORANGE COUNTY DISTRICT ATTORNEY



## BUSINESS PLAN 2006

TONY RACKAUCKAS  
DISTRICT ATTORNEY

**OFFICE OF THE DISTRICT ATTORNEY  
2006 BUSINESS PLAN**

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## I. EXECUTIVE SUMMARY

### MISSION

*The mission of the Office of the District Attorney is to enhance public safety and welfare and create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.*

### Duty of the District Attorney

The District Attorney represents the People of the State of California in the justice system. Performing this duty requires initiating criminal prosecutions and representing the People in some civil cases.

### Mandated Responsibilities

#### District Attorney Prosecution Mandate

Government Code Section 26500 mandates that the District Attorney initiate and conduct, on behalf of the people, prosecutions for public offenses.

#### Local Government Funding Mandate

The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services. (California Constitution, Article 13, section 35(a))

### Value to Community

Prosecuting criminal conduct is essential to maintaining public safety. The People of the State of California, in particular the residents of Orange County, rely on the Office of the District Attorney to bring those engaging in criminal activities to justice.

### 2005 Accomplishments

- In 2005, the Office's accomplishments included continuing to sustain a felony conviction rate in excess of 90%. Ensuring justice to victims, their families, and the community at large remains our top priority. Having these violent offenders in prison and off the streets protects the public from further victimization.
- The Office's TrackRS (Taskforce Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit provided investigative and coordinating efforts to local Law Enforcement agencies

resulting in successfully solving crimes and apprehending suspects. One case led to the filing of homicide charges resulting from a 1974 murder of 27 -year-old nurse Linda Cummings in her Santa Ana apartment.

- Through successful collaboration, Orange County was a statewide leader in the implementation of Proposition 69 (The DNA Fingerprint Initiative).
- Additionally, the Office obtained convictions in several multi-million dollar, high-profile embezzlement and medical fraud cases.
- The Office's diligence in prosecuting consumer crimes resulted in the Office returning \$2 million dollars to the County General Fund.
- The Office expanded its website providing a "one-stop shop" for public safety resources and information targeted to Orange County residents.

## **Fiscal Year 2006/2007 Strategic Goal**

### **■ PROTECT THE PUBLIC FROM CRIMINAL ACTIVITY**

Protecting the public from criminal activity is essential to fulfilling our mandate and mission. Prosecuting those suspected of criminal activity is essential to ensuring justice is served, the community is protected, and residents feel safe.

## **Resources: Staffing**

### **Workload Increases**

The most complex types of prosecutions are felony cases. These include both violent crimes including homicide, child molestation, sexual assault, major narcotic distribution as well as the gamut of complex economic fraud crimes. The effective prosecution of these cases requires significantly more prosecution, investigative, and support staff resources than misdemeanor cases.

In 2005, felony case filings increased for a fourth consecutive year. In comparison to 2004, the Office filed over 6% more felony cases in 2005, these cases involve over 19,000 defendants.

### **White Collar Crime Prosecution Team**

In January 2006, the District Attorney established the White Collar Crime Prosecution Team (WCCPT). The team is comprised of prosecutors, investigators, and support staff. The WCCPT will prosecute embezzlement, larceny, computer crime, identity theft, and other fraud schemes. These types

of cases are growing in number and complexity both in Orange County and nationwide.

### **Organization**

The Office is organized into prosecution teams, or units, which are comprised of staff from each of the three major divisions:

- Legal
- Bureau of Investigation
- Administrative Services

Additionally, the Government and Community Relations Unit and Media Relations Unit provide support services for the entire Office.

Our ability to work together, both within and between teams, as well as partner with other members of the law enforcement community are essential to attaining our goals and ensuring public safety.

Each staff member plays a critical role in performing the tasks required to bring criminals to justice. We are committed to continuously improving our services. Our success affords Orange County residents and visitors the utmost in safety and security.

### **Resources**

#### **Funding**

In November 1993, the California voters approved Proposition 172. This measure earmarked a one-half cent state sales tax to be exclusively used to supplement funding for public safety activities. In January 1996, the Board of Supervisors adopted a policy regarding the use of this revenue and allocated 20% of this revenue to the Office of the District Attorney and 80% to the Sheriff's Department.

This serves as the Office's primary source of revenue. In November 2005, Orange County voters resoundingly rejected a slate of ballot measures that would have reallocated or changed this distribution formula.

### **Challenges**

#### **Caseload Increases and Complexity**

Four consecutive years of significant increases in felony cases filings, expanded use of DNA evidence, growing number of fraud cases, as well as on-going changes in the law continue to add workload demands.

Locally, changes in the way the Orange County Superior Court handles some types of cases requires enhanced prosecution staffing at Justice Centers. These specialty courts tend to calendar more review hearings and/or progress report dates than the general court. The additional hearings result in the compounding of prosecutor workloads.

## **II. MISSION & GOAL**

### **Duty of the District Attorney**

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- The Office's TrackRS (Taskforce Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit provided investigative and coordinating efforts to local Law Enforcement agencies resulting in successfully solving crimes and apprehending suspects. One case led to the filing of homicide charges resulting from a 1974 murder of 27 -year-old nurse Linda Cummings in her Santa Ana apartment.
- Through successful collaboration, Orange County is a statewide leader in the implementation of Proposition 69 (The DNA Fingerprint Initiative). In conjunction with the Attorney General's Office and the California District Attorneys Association, developed the Cold Hit Outcome Project (CHOP), a program designed to document the status and disposition of all Cold Hits in California. Orange County is the only county to use data verification submission procedures, a process developed by the District Attorney's Office TrackRS (Taskforce Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit. Since its implementation in January, Orange County has 35 "cold hits" or DNA crime scene evidence matches to an identifiable person. By 2007, expect to see over 200 "cold hits" annually, growing to over 1,000 annual "cold hits" by 2010.

- Additionally, the Office obtained convictions in several multi-million dollar, high-profile embezzlement and medical fraud cases.
- The Office's diligence in prosecuting consumer crimes resulted in the Office returning \$2 million dollars to the County General Fund.
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## ■ **MISSION**

The People of the State of California, in particular the residents of Orange County, rely on the Office of the District Attorney to bring criminals to justice.

*The mission of the Office of the District Attorney is to enhance public safety and welfare and create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.*

The core activities in support of the Office's mission include:

- Prosecuting felony and misdemeanor crimes.
- Investigating criminal activity through partnerships with various law enforcement agencies throughout the County.
- Processing juvenile petitions for wardship.
- Educating the public and fostering trust in the criminal justice system. Addressing cultural barriers and encouraging cooperation with prosecutors, police, and the courts to ensure justice in the community.



■ **FISCAL YEAR 2006/2007 STRATEGIC GOAL**

**1. PROTECT THE PUBLIC FROM CRIMINAL ACTIVITY**

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■ **KEY OUTCOME MEASURES**

**GOAL #1 PROTECT THE PUBLIC FROM CRIMINAL ACTIVITY**

■ **KEY OUTCOME MEASURE: CONVICTION RATE**

**What is the Measurement?**

The conviction rate measures the percentage of filed adult felony cases resulting in conviction.

**Why Measurement is Important:**

This measure directly reflects on the Office's ability to effectively represent the People of the State of California. Furthermore, this measure is of paramount importance to the community since convicting criminals brings justice to the victim and the community at large. Finally, convictions remove dangerous criminals from the community.

**How are we doing?**

The Office has maintained an excellent conviction rate. The felony conviction rate for 2005 exceeded 90%.

### III. OPERATIONAL PLAN FOR STRATEGIC GOAL

The Office has developed a number of strategies to achieve the 2005/2006 strategic goals.

#### ■ CLIENTS

The Office of the District Attorney represents the People of the State of California. Therefore, the broadest group of clients are the over three million residents of the County. Having the residents feel an adequate level of safety and security is a key component of the mission of the Office. All residents are impacted by the crimes that occur within and outside the boundaries of Orange County.

- **The Community:** Change in the overall population is important as an indicator of the size and diversity of the community we serve. Assessing particular community needs assists in identifying effective strategies and allocating scarce resources designed to achieve our goals.

Another noteworthy demographic characteristic involves ethnic and cultural groups. Many of these residents were raised in cultures with far different relationships between individuals and the criminal justice system. The need for outreach and education activities remains critical to the recent immigrant communities. The increases in Hispanic and Asian populations (particularly Vietnamese and Korean) indicate the need for bilingual services and multicultural educational services will continue to increase.

- **Law & Justice System Partners:** The ability to work with and communicate with Law & Justice partners, including the Court, police agencies, the Probation Department, the Public Defender, as well as county, state and federal agencies which refer cases for prosecution are critical to the success of the Office.

A key initiative facilitating partner communication is the Integrated Law and Justice System for Orange County (ILAJOC).

This project represents an unprecedented level of collaboration between all members of the Orange County Law and Justice Community. Police agencies in the County are receiving automated electronic subpoenas from the District Attorney's Case Management System. The next major phase of technological integration is automating the data exchange between the Office of the District Attorney and the Superior Court. This process will automate over 500,000 transactions (case filings, hearings,

trial dates, courtroom changes, etc.) that occur annually between the Office of the District Attorney and the Superior Court. The first phase involves electronically transmitting the case filing data from the District Attorney to the Courts. This phase is in testing and is anticipated to be implemented Spring 2006. Subsequently, the project will include all phases of case activity through case sentencing and final disposition.

The next phase of automation will establish a secured internet protocol and data exchange schema to support electronic transmission of police reports and related documentation from police agencies to DA for criminal case filing consideration.

With each step along the way, the efficiency and effectiveness of the justice system is improved.

Clearly the success of integrating systems relies on a team of dedicated law enforcement managers and their IT professionals. A continuation of collaboration is required to successfully implement the vision of an Integrated Law and Justice System.

- **COUNTY STRATEGIC PRIORITIES**

The County's strategic priorities directly impact the County's residents. Two of these County Strategic Priorities that directly involve our Office include:

**High Tech Crime Unit Expansion:** The widespread use of computers, cell phones and the internet results in the need to use high tech methods to investigate/prosecute these crimes. There have been increases in the use of computers to commit felony crimes such as identity theft and medical insurance fraud. Fraud losses result in additional costs to businesses, to employers and to county residents. Computers and cell phones are widely used by gang members, pedophiles and drug dealers to perpetrate their crimes. It is necessary to conduct forensic analysis of computer devices in many felony criminal cases, particularly where fraud is involved, but also in cases involving child pornography, homicide and sexual predators.

A key initiative of the Office is combating Identity Theft, the fastest growing crime in the United States, effecting millions of people every year and costing businesses and individuals billions of dollars. California Penal Code 530.6 (enacted 2000) requires police agencies to take reports from victims and either investigate or forward the matter to the jurisdiction of origin for investigation. The increased investigations result in additional prosecutions for identity theft crimes. Both large-scale criminal rings are engaged in the harvesting of personal information as well as petty criminals

who steal and use the information. Resources to target ring based identity theft activity is important to address the high dollar losses involved.

Successful prosecution of high tech, often white-collar crimes, involves both forensic computer analysis and complex forensic accounting, two components also used in the prosecution of other high tech crimes.

In January 2006, the District Attorney hosted the County's first ever Law Enforcement Fraud Summit. This event brought law enforcement experts throughout the county to identify priorities, crime trends, and ideas for effectively combating these types of crimes.

**Proposition 36 Under Funding:** On July 1, 2001, the County implemented Penal Code 1210 requirements, also known as Proposition 36, the Substance Abuse and Crime Prevention Act (SACPA). This program allows eligible criminal defendants with non-violent drug possession cases to be placed on formal probation and to be referred to an out of custody drug treatment program in lieu of incarceration. It has been recognized statewide that the funding available is insufficient to provide services to those eligible for this program. Since its inception, the office has received County General Funds or Proposition 36 Trust Funds to offset costs. Although these sources do not fund 100% of the Office's expenses, they have been sufficient to enable the Office to continue to participate in this program. Any further reduction in funding will require the Office to re-evaluate its ability to participate.

## ■ RESOURCES

### STAFFING

As of January 2006, the Office has 659 budgeted positions. Staff are organized into prosecution teams or units, which are comprised of staff from each of the three major divisions (Legal, Bureau of Investigation, and Administrative Services.) Additionally, the Government and Community Relations Unit and Media Relations Unit provide support services for the entire Office.

Our ability to work together, both within and between teams, as well as partner with other members of the law enforcement community are essential to our successfully fulfilling our mission. Teamwork is integral to the success of the Office. Each staff member plays a critical role in performing the tasks required to bring criminals to justice. We are committed to continuously improve our

services to provide Orange County residents and visitors the protection, sense of security, and safety they deserve.

**Prosecution:**

Prosecution operations are divided into the following three areas:

**Felony Operations 1:** Prosecutes the majority of violent felony crimes. Units in this area include:

- The **Homicide** Unit prosecutes non-gang related homicides, including those with special circumstances.
- The **Sexual Assault** Unit prosecutes rapists, sexually violent predators, child molesters and other violent sexual assaults.
- The **Family Protection** Unit prosecutes violent assaults, attempted murders, felony domestic violence, child abuse, child abduction, stalking and elder abuse.
- The **Gang** Unit prosecutes crimes committed by gang members, including murders and attempted murders
- The **TARGET** Unit is comprised of anti-gang teams which include a police officer, a probation officer, and a prosecutor. These teams are housed in police departments throughout the county. TARGET prosecution is focused on the eradication of gang crime and violence by targeting the gang's "serious offenders."
- The **Felony Panel** Unit prosecutes a variety of felony crimes not handled by specialized felony units.

**Felony Operations 2:** Prosecutes primarily non-violent felony and other complex crimes. Units in this area include:

- The **Felony Projects/Special Assignment** Unit prosecutes a variety of specialized felonies (arson, hate crimes, political corruption, and cases dealing with Mentally Disordered Offenders). Additionally, this Unit investigates Officer Involved Shootings.
- The **Felony Projects 2** Unit is comprised of four specialized areas:
  - The **Narcotic Enforcement Team (NET)** Unit prosecutes major narcotic traffickers and illegal drug manufacturers.

Additionally, the NET Unit conducts distribution of forfeitures proceedings from illegal drug trade.

- The **Career Criminal** Unit prosecutes dangerous repeat offenders. Many of these cases involve potential life sentences.
- The **Welfare Fraud** Unit prevents, detects and prosecutes crimes related to fraudulent receipt of public assistance. This unit is funded by the Social Services Agency.
- Cases arising out of the Office's Orange County Auto Theft Task Force (**OCATT**), specifically auto theft rings.
- The **Economic Crimes** Unit prosecutes high tech crime, identity theft, high-dollar fraud crimes and includes the White Collar Crime Prosecution Team.
- The **Consumer/Environmental and Insurance Fraud** Unit prosecutes complex cases involving environmental crimes and also companies and individuals that engage in fraudulent or unlawful business practices affecting large groups of people. Additionally, this unit prosecutes workers' compensation fraud, auto insurance fraud, medical and disability fraud crimes.
- The **Law and Motion** Unit conducts over 700 Felony Pretrial Motions, Writs and Appeals annually. The Unit also provides prosecutors legal research assistance and training.

**Branch Court Operations:** Prosecutes adult misdemeanor crimes in each of the five Justice Centers (**Central Justice Center, Harbor Justice Center – Laguna Niguel, Harbor Justice Center – Newport Beach, North Justice Center, West Justice Center**) and felony and misdemeanor juvenile petitions in the **Lamoreaux (Juvenile) Justice Center**. In addition to misdemeanor prosecution, each of the five Justice Centers includes a Felony Charging Unit. The Felony Charging prosecutors review potential felony cases presented by police agencies to the justice centers for filing consideration.

**Bureau of Investigations:** The Bureau consists of both sworn and non-sworn personnel responsible for providing investigative and other related technical services to support criminal prosecution. Investigators provide trial support by conducting complex criminal investigations as well as interviewing and subpoenaing witnesses. Investigators also assist other County law enforcement agencies with complex investigations, cases involving multiple jurisdictions, and

investigation of officer-involved shootings and in-custody deaths occurring in Orange County. Additionally, the Bureau operates two investigative units:

- The **Anti-Terrorism/Organized Crime** Unit is the only countywide intelligence unit operating in the surveillance of organized crime. Investigations conducted by this unit have resulted in prosecution of serious crimes, including murder.
- The **TracKRS** (Taskforce review aimed at catching Killers, Rapists and Sexual Offenders) unit provides a variety of resources to assist peace officers in the investigation of homicides and sexual assaults.

The Bureau of Investigation provides contract criminal investigation services on a cost reimbursement basis to three County agencies:

- **Social Services Agency:** Investigative staff prevent, detect, and investigate various forms of Welfare Fraud. Additionally, legal staff conduct welfare fraud prosecutions.
- **Department of Child Support Services:** Investigative staff locate and serve subpoenas to non-custodial parents who do not comply with support orders.
- **Housing and Community Development:** Investigative staff identify and investigate individuals suspected of Section 8 Housing Fraud.

Each agency reimburses the Office the cost of investigative support to staff these operations.

**Administrative Services:** In addition to providing office services support to the prosecution and investigative units mentioned above, the Administrative Services Division provides a myriad of support services including: Accounting, Budgeting, Facilities, Human Resources, Information Systems, Purchasing, and Research.

### **Organization**

The Office is organized into prosecution teams, or units, which are comprised of staff from each of the three major divisions:

- Legal
- Bureau of Investigation
- Administrative Services

Additionally, the Government and Community Relations Unit and Media Relations Unit provide support services for the entire Office.

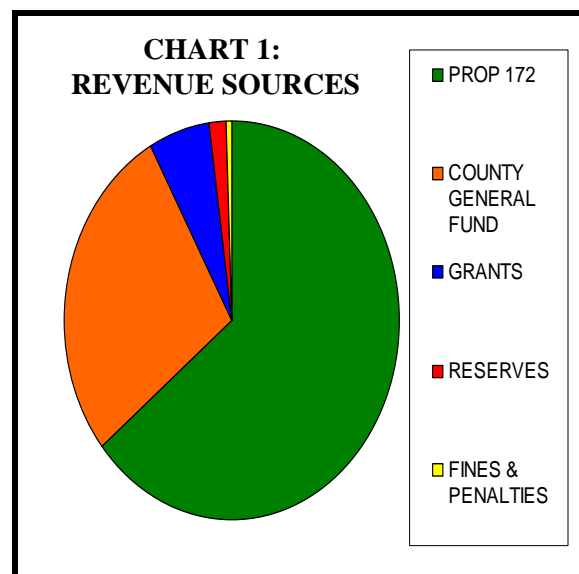
Each staff member plays a critical role in performing the tasks required to bring criminals to justice. We are committed to continuously improving our services. Our success affords Orange County residents and visitors the utmost in safety and security.

### Staff Development

Professional development is encouraged for staff at all levels of classification. Given the budget constraints, an emphasis will be placed on staff participation in no-cost or low cost training, including: in-house training programs, cross-training, formal County training programs, skill development, and training to keep pace with legal requirements and technical advancements.

### FUNDING

The Office's Fiscal Year 2005/2006 operating budget totaled over \$81 million. As Chart 1 indicates, Proposition 172 revenue serves as the Office's primary revenue source. This revenue is projected to total \$52.8 million in Fiscal Year 2005/06. Proposition 172, approved by California voters in November 1993 specifically earmarks one-half cent of Orange County's state sales tax exclusively to supplement funding for public safety activities. In January 1996, the Board of Supervisors adopted a policy to allocate 20% of this revenue to the Office of the District Attorney and 80% to the Sheriff's Department. The public reaffirmed this allocation formula in November 2005 when Orange County voters resoundingly rejected a slate of ballot measures that would have reallocated or changed this distribution formula.



**TABLE 1: EXPENSE SUMMARY**

CATEGORY	PERCENT
STAFFING EXPENSES	87%
SUPPLIES, SERVICES, EQUIPMENT	13%

To mitigate the demand on County General Funds and meet prosecution demands, the Office annually allocates DA Reserve funds as a dedicated revenue source. These reserves are comprised of unspent funds carried forward from prior year Office budgets.



The primary budgetary cost for our agency is staffing. As indicated in Table 1, eighty-seven percent (87%) or \$71.2 million of the \$81 million Fiscal Year 2005/2006 Budget covers salary related expenses.

## **FACILITIES**

The majority of staff are located in the Main Office at 401 Civic Center, Santa Ana. Office staff are also stationed in the County's six justice centers (North, West, Central, Harbor-Newport Beach, and Harbor-Laguna Niguel (South), and Juvenile). In addition to Branch Court Operations (primarily responsible for prosecuting misdemeanors as well as filing felony cases), small contingents of staff from the Felony Panel Unit and the Family Protection Unit are located in the five adult justice centers.

Additional investigative and support staff work out of Social Services Agency district offices throughout the County and the Child Support Services building. The Social Services Agency, the Department of Child Support Services, and Housing and Community Development rely on our Office to provide the investigative services related to various types of welfare fraud, child support and Housing Assistance Fraud cases.

## **■ CHALLENGES**

### **Uncertain Funding**

As stated in the Office's last six Business Plans, sales tax revenue is not a reliable source of revenue. As mentioned earlier, sales tax revenue provides the majority of Office's annual operating revenue. Since actual sales tax revenue is unknown until received, each year the budget is based on sales tax projections made in March for the upcoming fiscal year. Thus, in March sales tax projections for the upcoming July through June serve as the basis for developing and balancing the annual operating budget.

Relying on consumer spending to fund criminal prosecution is tenuous as it is subject to unforeseen economic influences. In the past, actual sales tax revenue received has both fallen significantly short of budget projections as well as exceeded budget projections. Managing this variable and uncertain revenue flow requires astute budget management to balance resources and prosecution demands. In years where sales tax revenue exceeds projections, the Office's reserve fund grows. Conversely, when sales tax revenue falls short of projections, the Office's reserve fund may be used to makeup the difference.

### **Caseload Increases and Complexity**

Four consecutive years of significant increases in felony cases filings, expanded use of DNA evidence, growing number of fraud cases, as well as on-going changes in the law continue to add workload demands.

Locally, changes in the way the Orange County Superior Court handles some types of cases requires enhanced prosecution staffing at Justice Centers. These specialty courts tend to calendar more review hearings and/or progress report dates than the general court. The additional hearings result in the compounding of prosecutor workloads.

Finally, the type of evidence seized that requires high tech analysis continues to become more complex. Our high tech staff face increased demands to review digitized data, various communication, video, and computing devices for gang, homicide, sexual assault, as well as traditional high tech crimes such as identify theft cases. Moreover, the influx of complex fraud cases requires additional highly skilled forensic accountants to review complex records to detect fraud or analyze cash-flows.

**Strategy to address Caseload Increases and Complexity:**

We will continue to evaluate staffing levels to ensure sufficient resources are available to address both the volume and complexity of caseloads. The Office has successfully utilized volunteer attorneys through the Trial Attorney Partnership program whereby experienced private attorneys are trained and deputized to prosecute certain types of misdemeanor cases while temporarily assigned to the Office.

Caseload demands are managed through staff rotations and in some instances use of volunteer staff. When required, we will request Board of Supervisors to add staff positions to meet workload demands. In these scenarios, the Office will continue to evaluate all available resource options.

**Consequences of not adequately funding prosecution**

Failure to adequately staff criminal caseloads fund the Office would impact our ability to adequately prosecute crime. The prosecution of non-violent as well as violent crime would be impacted.

The extent of any reductions would depend upon the amount of the funding shortfall. Clearly, failure to provide adequate funding will result in the People not being adequately represented and in turn:

- Jeopardize public safety
- Reduce the number of cases filed for prosecution
- Reduce the conviction rate

## ■ STRATEGIES TO ACCOMPLISH GOAL

Overall the strategies to achieve our goal fall into four main categories:

1. PROSECUTE CRIMINAL VIOLATIONS IN A VIGOROUS, EFFICIENT, JUST AND ETHICAL MANNER.
2. ENHANCE PUBLIC SAFETY BY PROACTIVELY AND COLLABORATIVELY INVESTIGATING AND DETERRING CRIMINAL ACTIVITY.
3. MAXIMIZE RESOURCES BY PARTNERING WITH OTHER AGENCIES AND SUPPORTING OUTREACH EFFORTS TO EDUCATE UNDERSERVED COMMUNITY ON CRIMINAL JUSTICE SYSTEM.
4. SUPPORT AND MAINTAIN A WORK ENVIRONMENT THAT ENCOURAGES EXCELLENCE.

**The service plans to support these strategies are detailed below:**

1. PROSECUTE CRIMINAL VIOLATIONS IN A VIGOROUS, EFFICIENT, JUST AND ETHICAL MANNER.

### **SERVICE PLANS:**

- Maintain staffing levels to support the effective and efficient prosecution of crime.
- Continue to evaluate filing procedures for consistency.
- Continue training law enforcement personnel to improve quality of cases presented.
- Connect DA Case Management System with Court Vision System to automate the 500,000+ annual transactions performed by District Attorney and Court to manage case processing.
- Continue to ensure the High Tech Unit has sufficient resources to ensure the integrity of evidence collection, preservation, and presentation in court is maintained from investigation through arrest and subsequent criminal proceedings.
- Expand implementation of digitized discovery to more effectively and efficiently store and transmit discovery documents.
- Implement Proposition 36-related filing, prosecution and violation follow up with Courts.
- Continue to enhance trial skills by training attorneys and investigators in effective techniques.

- Continue to integrate technology and provide associated training to maximize efficiency and effectiveness.
  - Continuously update all databases to provide access to up-to-date information.
2. ENHANCE PUBLIC SAFETY BY PROACTIVELY AND COLLABORATIVELY INVESTIGATING AND DETERRING CRIMINAL ACTIVITY OCCURRING IN ORANGE COUNTY.

**SERVICE PLANS:**

- Continue support of the TrackRS (Task Force Review Aimed at Catching Killers, Rapists, and Sex Offenders) program, particularly the expanded use of the SciLas (Samples Collected Indexed Location, Activity And Status) DNA database.
  - Continue providing leadership in implementation of Proposition 69 statewide DNA collection initiative.
  - Continue Due Diligence Program to solve open homicide cases and bring murderers to justice.
  - Continue collaborative work with the Probation Department on the Juvenile Serious Sexual Offender Program.
  - Continue active participation in the multi-agency narcotics enforcement efforts.
  - Continue to make best efforts to effectively implement Proposition 36.
  - Continue to evaluate the various welfare fraud investigation programs to enhance communication with Social Services Agency personnel.
3. EDUCATE PUBLIC THROUGH COMMUNITY OUTREACH EFFORTS BY PARTICIPATING IN COMMUNITY CULTURAL EVENTS, WORKSHOPS, AND DISSEMINATING BILINGUAL RESOURCE AND EDUCATIONAL MATERIALS.

**SERVICE PLANS:**

- Continue to collaborate with law enforcement agencies, non-profit organizations, local businesses, faith communities, educational organizations and other agencies to implement outreach efforts.
- Continue to facilitate Hispanic, Vietnamese, and Korean Advisory Commissions.
- Develop and disseminate multilingual resource materials.

- Continue to conduct criminal justice workshops and town hall meetings and to staff outreach booths at local cultural events.
4. SUPPORT AND MAINTAIN A WORK ENVIRONMENT THAT ENCOURAGES EXCELLENCE.

**SERVICE PLANS:**

- Encourage staff and supervisors to effectively use performance planning to strategically direct staff toward goals.
- Encourage all staff to participate in the variety of in-house training offered to legal, investigative, and administrative staff.
- Maintain adequate staffing levels to ensure effective and efficient prosecution of crime.
- Continue training law enforcement personnel to improve quality of cases presented.
- Continue to enhance trial skills by training attorneys and investigators in effective techniques.
- Continue to encourage staff to participate in Office and County hosted training programs.
- Encourage the application of computer skills in the work environment to enhance efficiency and effectiveness.
- Continue support of County's Integrated Law & Justice System.

- **TRAINING AND DEVELOPMENT:**

**LEGAL:** Emphasis for attorney training is on Mandatory Continuing Legal Education (MCLE).

**INVESTIGATIVE:** The majority of Investigators training is funded through Peace Officers Standards and Training (POST) program.

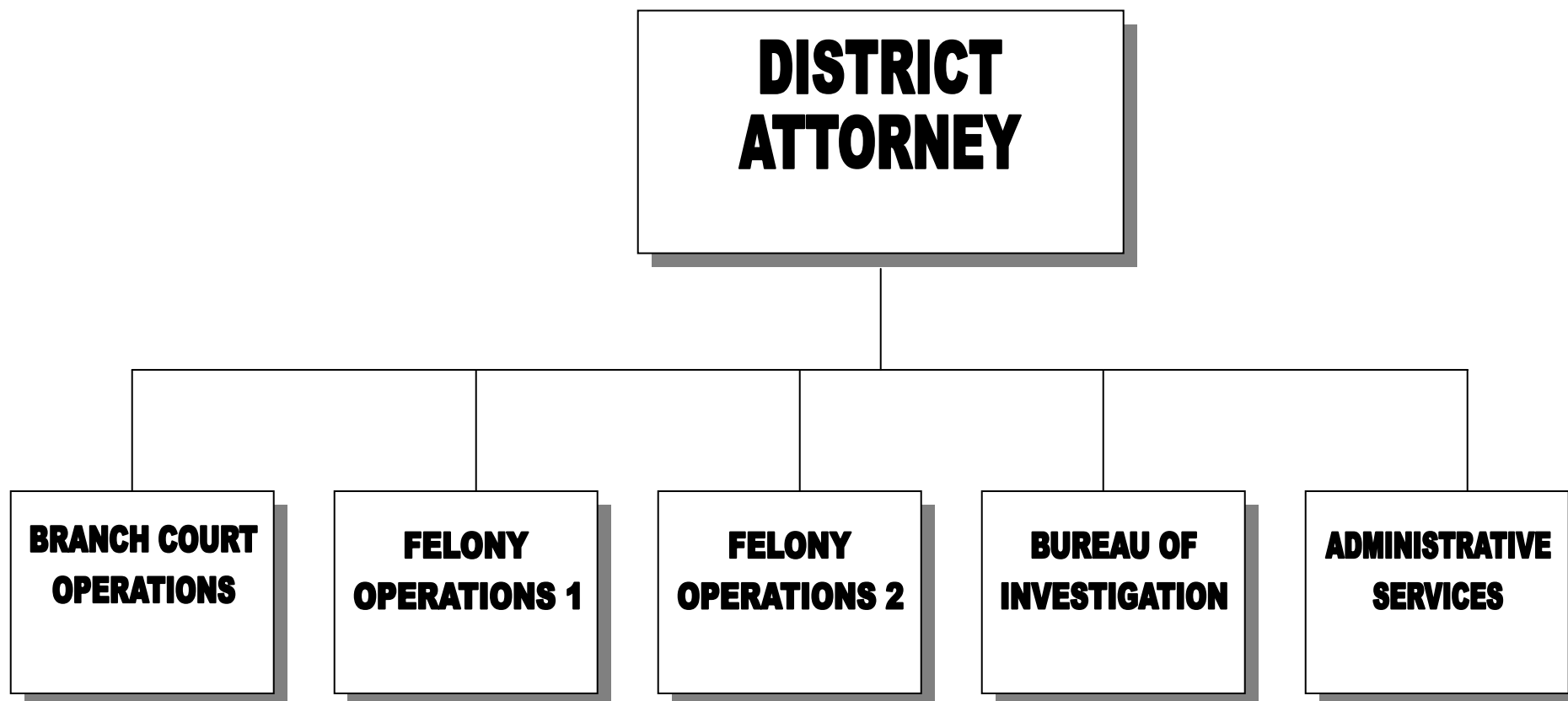
**ADMINISTRATIVE STAFF:** Emphasis on Case Management System and related Integrated Law & Justice System training. Staff are also encouraged to pursue County training opportunities as well as professional development opportunities.

■ **OUTCOME MEASURES**

1. PROSECUTE CRIMINAL VIOLATIONS IN A VIGOROUS, EFFICIENT, JUST AND ETHICAL MANNER.
  - Responses to surveys of criminal justice partners regarding the professionalism and efficiency of Office personnel.
2. ENHANCE PUBLIC SAFETY BY PROACTIVELY AND COLLABORATIVELY INVESTIGATING AND DETERRING CRIMINAL ACTIVITY OCCURRING IN ORANGE COUNTY.
  - The number of programs and projects coordinated through multi-agency efforts.
3. EDUCATE PUBLIC THROUGH COMMUNITY OUTREACH EFFORTS BY PARTICIPATING IN COMMUNITY CULTURAL EVENTS, WORKSHOPS, AND DISSEMINATING BILINGUAL RESOURCE AND EDUCATIONAL MATERIALS.
  - Number of outreach activities.
4. SUPPORT AND MAINTAIN A WORK ENVIRONMENT THAT ENCOURAGES EXCELLENCE.
  - Number of staff participating in training programs.

APPENDIX A  
ORGANIZATION CHART

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## APPENDIX B

### 2005 ACCOMPLISHMENTS

In 2005, the Office's accomplishments included continuing to sustain a felony conviction rate in excess of 90%. Ensuring justice to victims, their families, and the community at large remains our top priority. Having these violent offenders in prison and off the streets protects the public from further victimization.

The Office's TrackRS (Taskforce Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit provided investigative and coordinating efforts to local Law Enforcement agencies resulting in successfully solving crimes and apprehending suspects. One case led to the filing of homicide charges resulting from a 1974 murder of 27 -year-old nurse Linda Cummings in her Santa Ana apartment.

Through successful collaboration, Orange County is a statewide leader in the implementation of Proposition 69 (The DNA Fingerprint Initiative). In conjunction with the Attorney General's Office and the California District Attorneys Association, developed the Cold Hit Outcome Project (CHOP), a program designed to document the status and disposition of all Cold Hits in California. Orange County is the only county to use data verification submission procedures, a process developed by the District Attorney's Office TrackRS Unit. Since its implementation in January, Orange County has 35 "cold hits" or DNA crime scene evidence matches to an identifiable person. By 2007, expect to see over 200 "cold hits" annually, growing to over 1,000 annual "cold hits" by 2010.

Additionally, the Office obtained convictions in several multi-million dollar, high-profile embezzlement and medical fraud cases.

The Office's diligence in prosecuting consumer crimes resulted in the Office returning \$2 million dollars to the County General Fund.

The Office expanded its website providing a "one-stop shop" for public safety resources and information targeted to Orange County residents.



## APPENDIX C

### WORKFORCE PLANNING

The Office of the District Attorney's (Office) employees are its most important asset. The Office strives to maintain an environment that promotes employee innovation, creativity, independence, quality, and exceptional service. Our primary strategy will continue to be the focus on the delivery of core public safety services.

To proactively manage workload demands we will continue to strategically deploy staff to achieve workflow efficiencies and meet justice system mandates.

### POSITION REALLOCATION

In Fiscal Year 2006/07, the Office plans to study the following classifications to align position responsibilities with appropriate classification specifications:

**Forensic Auditor** – The reclassification of Investigative Auditors to Forensic Auditors is necessary to align with the increased scope of responsibility, complexity and level of required skills, as well as maintaining comparability with industry standard for competitive recruiting.

**Senior Attorney Clerk:** The establishment this classification will fill the gap between Attorney Clerk II and Law Office Supervisor, creating a true development/training step. These positions are required in the six branch court units.

**Senior Paralegal:** This position is necessary to align responsibilities and experience. This study will compare the disparity in scope of responsibilities between paralegal assignments and create a new classification if warranted.

**Priors Researcher:** This position currently exists; however, they occupy a "best fit" classification as Investigative Assistants. This causes confusion when recruiting to fill either a Priors Researcher or Investigative Assistant position since duties are very different. This classification will correctly identify position and corresponding title. No change in pay is anticipated as a result of this title/classification alignment.

### TRAINING AND DEVELOPMENT

In FY2006/07, the Office will continue to provide Leadership/Supervisory training to executives, managers and supervisors to promote professionalism, advancement and effective leadership. Additionally, the Office will offer

training that will facilitate the development and success of our employees. Leadership training will be presented in formal and informal settings.

Overall training goals are to:

- Offer a variety of opportunities to keep staff motivated to continue peak performance or make changes to attain peak performance
- Integrate Office and County best practices to maximize the degree of consistency among supervisory and management staff
- Foster staff development to adequately prepare staff for promotion within the Office

### **Managers and Supervisors**

In 2004, the DA/Human Resources team developed a series of training programs targeted at Executives, Attorney Managers, Team Leaders, and other groups of Supervisors and Managers. These training segments focused on leadership attributes. Some specific topics included in training sessions included:

- Decision Making
- Teamwork
- Leadership Styles
- Communication
- Positive Thinking/Motivation
- Performance Management
- Coaching/Discipline
- Situational Leadership
- Employment Law

### **Attorneys**

Continue to use both CDAA and in-house programs to sustain professional development as well as integrate MCLE requirements with topics of importance to the Office.

### **Investigations**

Leverage POST resources to maximize appropriate training opportunities to ensure sworn staff are fully trained to perform their required duties. Finally, continue to share in-house expertise to train both DA staff as well as law enforcement partners throughout the County.

### **Support Staff**

Training in this area will be targeted at cross-training and development of skills directly related to performing duties and preparing staff to promote to next level positions within the Office.

## **RECRUITMENT AND SUCCESSION PLANNING**

The impact of the enactment of the 2.7% at age 55 retirement benefit has resulted in an increase in the number of staff retiring. As vacancies occur, an evaluation of the continued need for the position occurs.

### **Attorneys**

The office conducts two attorney recruitments each year. These recruitments correspond with the release of State Bar results and fill vacant attorney positions.

Promotions within the attorney ranks are dictated by MOU provisions through the Attorney III level. Typically, the Office annually holds an internal recruitment for promotions to Deputy District Attorney IV and Senior Deputy District Attorney positions. Some of the Senior Deputy District Attorneys are assigned to “team leader” or “Assistant Head of Court” positions.

The Assistant District Attorney, Senior Assistant District Attorney, and Chief Assistant District Attorney positions are Executive Management positions serving “at will” to the District Attorney.

### **Investigators**

Promotions to supervisory and management positions in the Bureau of Investigation are recruited from within the ranks of existing Investigators and Welfare Fraud Investigators. The current Commanders successfully promoted through an internal recruitment of Supervising Investigators and the Assistant Chief Investigator promoted from a Commander position.

The Chief is an Executive Manager and serves “at will” to the District Attorney.

### **Administrative Support Staff**

The most cost effective and expedient mode of recruiting for general support staff is the countywide Office Services applicant pool. To retain peak performers, support development and promotional opportunities, Investigative Assistant and Priors Researcher positions are typically recruited from within if a strong pool of qualified applicants exists. Maintaining a strong pool of candidates requires training targeted at developing specific skills associated with these positions.

Support Staff Supervisors are typically recruited from within the agency or Countywide depending upon the size of the potential of a highly qualified applicant pool. It is envisioned that the Senior Attorney Clerk position described above will develop the skill set required to succeed as a supervisor.

Administrative management positions tend to be highly specialized and do not as readily lend themselves to internal recruitment.

**Other Non-Sworn Staff**

In 2005, a significant number of support staff were promoted to Investigative Assistants positions. In some cases, Investigative Assistants may be eligible to promote to Welfare Fraud Investigator Trainee positions.

**CEO Human Resources may assist our Department by providing:**

- Timely response to recruitment requests
- A consistent offering of a variety of training programs for managers, supervisors, and line-staff to support professional development
- Up-to-date training materials (books, videos, magazines, etc).
- Advice on training content and design
- Information on current trends in employee relations and investigations
- An up-to-date developmental library
- A refresher course on succession plan training

Employee development will play a key role in increasing efficiency. We will support our supervisors and managers taking Performance Improvement Plan training to improve their use of this important tool. Training and Career Development will continue to provide supervisory and management training that stresses leadership and empowering employees.

## APPENDIX D

### INFORMATION TECHNOLOGY EVENTS PLANNING

<b>Department/Agency:</b>	District Attorney	<b>Contact Person:</b>	Lisa Bohan-Johnston
<b>Contact Email:</b>	Lisa.Bohan-Johnston@da.ocgov.com	<b>Contact Phone:</b>	714-347-8443

	IT Event	Brief Description	Estimated Cost	Potential Funding Source	Estimated Event Date
1.	Digitally archive case files	Digitally archive printed content of case files and provide a secured system to allow DA staff to view case file through the agency's standard desktop computers.	\$250,000 to \$750,000  Depending upon number of cases digitized	Prop. 172/NCC/Fund 14B	May 2006
2.	Electronic submission of police reports	Establish a secured internet protocol and data exchange schema to support electronic transmission of police reports and related documentation from police agencies to DA for criminal case filing consideration.	\$220,00	County General Fund: Agency 038 (re-budget prior year)	May 2006